

David K. Byers
Administrative Director

Attachment A

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Daytime Phone: _____ Alternate Phone: _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**APPLICATION FOR WRIT OF
GARNISHMENT (EARNINGS)
(A.R.S. §§ 12-1598 through -1598.17)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

1. I am the judgment creditor. I was awarded a money judgment or order against the judgment debtor.
2. I have asked the judgment debtor to pay, and the judgment debtor has not paid.

Case No. **(8)** _____

3. The amount of the outstanding balance on the judgment or order, including accrued interest and allowable costs, is **(9)** \$_____. Interest accrues at the rate of **(10)** _____% per **(11)** _____. The cost of serving the Writ of Garnishment will be shown on the Affidavit of Service and may be added to the Judgment along with allowable costs.
4. I believe garnishee employs judgment debtor or owes or will owe judgment debtor disposable earnings within 60 days.
5. I have provided garnishee name and address in **(7)**.
6. The statement checked below is true:
(12) (check one)
- ☐ I have not been notified that judgment debtor intends to sign an agreement for debt scheduling.
- ☐ I was notified that judgment debtor intends to sign an agreement for debt scheduling, but I objected timely in writing, therefore I am not subject to the debt scheduling.
- ☐ Judgment debtor signed an agreement for debt scheduling, but I was notified that the agreement is not good anymore.
7. I have attached a completed Writ of Garnishment and Summons form and ask that the Writ be issued.

(13) _____
Date

Signature of Judgment Creditor or Authorized Agent

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

(7) Case No.: _____

**WRIT OF GARNISHMENT
AND SUMMONS
(EARNINGS)
(A.R.S. §12-1598.04)**

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____
Email Address: _____
Attorney: _____

TO THE SHERIFF, CONSTABLE OR OTHER AUTHORIZED PROCESS SERVER IN (8) _____
COUNTY: You are commanded to summon garnishee named above, who is believed to be in your county, to
answer the following claims:

STATEMENTS OF THE JUDGMENT CREDITOR

1. Judgment creditor was awarded a judgment or order against (9) _____,
judgment debtor.
2. The amount of the outstanding balance on the judgment or order, including accrued interest and allowable
costs, is (10) _____. Interest accrues at the rate of (11) _____% per (12) _____.

The cost of serving this Writ of Garnishment will be as shown on the Affidavit of Service and may be added to the judgment.

3. Judgment creditor believes garnishee owes or will owe earnings to the judgment debtor in the next 60 days.
4. The names and addresses of all parties are listed in (4), (5) and (6).

TO THE GARNISHEE

YOU SHALL answer all the following questions in writing, under oath, on a separate document. Your answer shall be filed with the Court Clerk within 10 business days after you are served with this Writ of Garnishment.

1. Have you identified the judgment debtor, and if not, what steps were taken to do so and why were they unsuccessful?
2. Did you employ the judgment debtor on the date you received the Writ of Garnishment and Summons (Earnings)?
3. If not employed by you on that date, what was the last day on which you did employ the judgment debtor?
4. Will you owe earnings to the judgment debtor within 60 days of the date on which you received the Writ?
5. What will be the judgment debtor's next two paydays and what is the length of the judgment debtor's pay period (e.g, daily, weekly, bi-weekly, semi-monthly)?
6. Is the judgment debtor already subject to an existing wage assignment, garnishment or levy, and if so, what is the name, address and telephone number of that judgment creditor?

SUMMONS

A Writ of Garnishment has been issued, naming you as garnishee. You are required to answer this Writ in writing, under oath, and file the answer with the Court Clerk within 10 business days after service on you. If you fail to file an answer, you may be ordered to appear in person to answer this Writ, and a default judgment may be entered against you. If a default judgment is entered against you, you may be ordered to pay the full amount shown on this Writ, plus judgment creditor's costs and attorney fees.

THIS SUMMONS IS NOT A REQUEST TO SEND MONEY TO THE COURT. DO NOT RELEASE FUNDS SUBJECT TO GARNISHMENT UNLESS THE COURT ORDERS YOU TO DO SO. IF YOU HAVE BEEN PROPERLY NAMED A GARNISHEE IN THIS ACTION, UPON RECEIPT OF THIS WRIT, YOU SHOULD IMMEDIATELY WITHHOLD NONEXEMPT EARNINGS FROM THE JUDGMENT DEBTOR'S PAYCHECK PENDING RECEIPT OF AN ORDER OF CONTINUING LIEN.

Date

Judicial Officer

NOTICE TO GARNISHEE

You should have been served with a blank Garnishee's Answer form. You may complete and file this form to make your required answer.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Daytime Phone: _____ Alternate Phone: _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Address: _____
Phone(s): _____

**APPLICATION FOR ORDER OF
CONTINUING LIEN
(EARNINGS)
(A.R.S. §§ 12-1598.10)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Address: _____
Phone(s): _____
Attorney: _____

1. I am the judgment creditor, and I request that the Court issue an Order of Continuing Lien directing the garnishee to pay me all the judgment debtor's nonexempt earnings beginning on the pay period in which the Writ was served and continuing as a lien on the judgment debtor's nonexempt earnings until further order of the Court.

Case No. **(8)** _____

2. The Writ was served on the garnishee on **(9)** _____, and
the Garnishee's Answer was filed on **(10)** _____.

3. It appears from Garnishee's Answer that:

(11) (Check all boxes that apply and fill in blanks for each box checked)

☐ Judgment debtor is or was an employee of garnishee.

☐ Garnishee owed earnings to judgment debtor when the Writ was served.

☐ Earnings would be owed within 60 days after the Writ was served.

4. I am entitled to **(12)** \$ _____ for the cost of issuing the Writ as stated on the
affidavit of service.

5. No timely written objections have been filed or any objections have been overruled.

(13)

Copy provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(14)

Copy provided to garnishee on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(15) _____
Date

Judgment Creditor or Authorized Agent

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

Attorney's Address: _____

(7) Case No.: _____

**ORDER OF
CONTINUING LIEN
(EARNINGS GARNISHMENT)
(A.R.S. § 12-1598.10)**

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(6) Garnishee

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

The Application for Order of Continuing Lien is approved. The garnishment shall be a continuing lien against the judgment debtor's nonexempt earnings. All nonexempt earnings shall be withheld by the garnishee and must be transferred to the **judgment creditor**. All nonexempt earnings that have been withheld pursuant to the Writ must be transferred to the judgment creditor.

Case No. (7) _____

- ☐ (*Hardship exception only*) The judgment debtor is subject to the “maximum disposable earnings” provision of A.R.S. § 33-1131, and there is clear and convincing evidence that the judgment debtor or the debtor’s family would suffer extreme economic hardship as a result of the garnishment. The amount of nonexempt earnings to be withheld and transferred to the creditor is reduced to _____% (not less than 15%).

The judgment debtor shall pay to the garnishee through the garnishment process:

- ☐ \$_____ for attorney fees incurred in answering the Writ of Garnishment.

The judgment debtor shall pay to the judgment creditor through the garnishment process:

- ☐ \$_____ for the cost of service, and

- ☐ \$_____ for the cost of issuance of the Writ.

Date

Judicial Officer

INSTRUCTIONS TO THE GARNISHEE (EARNINGS)
(A.R.S. § 12-1598.04(C))

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly.

If you, the garnishee, fail to meet your responsibilities in this garnishment proceeding you run the risk that the Court may order you to pay the judgment creditor's attorney fees, costs and even the amount of money which the judgment debtor owes the judgment creditor. This can happen even if you do not owe the judgment debtor any wages.

You have been served with a Writ of Garnishment and Summons (Earnings) which names you as the garnishee and identifies the parties and the reason for the garnishment. The party who filed this court action (the "judgment creditor") is attempting to collect payment from a party named as the "judgment debtor." You are involved in this proceeding because the judgment creditor believes you owe the judgment debtor "earnings" such as wages, salary or compensation for services performed by the judgment debtor.

The judgment creditor should have served you with the following documents:

- Writ of Garnishment and Summons (Earnings) – 2 copies
- Instructions to the Garnishee (Earnings) – 2 copies
- Garnishee's Answer (Earnings) – 4 copies
- Second Notice to Judgment Debtor of Garnishment (Earnings) – 2 copies
- Request for Hearing on Garnishment (Earnings)(A.R.S. §12-1598.16(F))– 2 copies
- Notice of Hearing on Garnishment (Earnings) – 2 copies
- Nonexempt Earnings Statement (Support Judgment) or (Not for Support of a Person)– 4 copies
- Request for Hearing on Nonexempt Earnings Statement – 4 copies
- One copy of the Judgment in the original lawsuit between the judgment creditor and the judgment debtor
This document shows you how much money was awarded to the judgment creditor in the case against the judgment debtor.

CAUTION: Failure to file a Garnishee's Answer can result in an order being entered against you in the full amount of the debt owed by the judgment debtor to the judgment creditor. This can happen even if you do not know the judgment debtor or do not owe the judgment debtor any earnings.

[] STEP 1: Respond to the Writ of Garnishment and Summons within 10 business days

You **must** file a Garnishee's Answer with the Court Clerk **within 10 business days** after you receive the Writ of Garnishment and Summons.

[] (A) If you do not and will not owe earnings to the judgment debtor

Within 10 business days after you receive the paperwork listed above, fill out a Garnishee's Answer (Earnings)(FORM 6) and file it with the Court Clerk. Even if you have never owed the judgment debtor any earnings you must respond to the Writ of Garnishment by filing a Garnishee's Answer.

After you file your Answer, you are entitled to be released from the garnishment if any of the following are true:

- You have never employed the judgment debtor and do not expect to employ the judgment debtor within the next 60 days.
- You do not owe the judgment debtor any earnings, regardless of whether the judgment debtor was ever your employee, and you do not expect to owe the judgment debtor any earnings within the next 60 days.
- You employed the judgment debtor in the past but do not currently owe the judgment debtor any earnings and do not expect to employ the judgment debtor again within the next 60 days.

Once you file your Garnishee's Answer with the Court Clerk and complete STEP 2, you will not need to do anything further unless one of the other parties objects to your answer.

[] (B) If you do owe or will owe earnings to the judgment debtor within 60 days

If you employ the judgment debtor or otherwise owe the judgment debtor earnings at the time you are served with the Writ or will owe the judgment debtor earnings within 60 days thereafter, you must now begin withholding nonexempt earnings from the judgment debtor's pay. You must complete and file a Garnishee's Answer with the Court Clerk within 10 business days after you receive the paperwork listed above.

[] STEP 2: Deliver copies of documents to the other parties

Also **within 10 business days** of receiving the Writ of Garnishment and Summons (Earnings), you must:

- Deliver or mail to the judgment debtor a copy of each of the following documents:
 - Your completed Garnishee's Answer (Earnings)
 - Second Notice to Judgment Debtor of Garnishment (Earnings)
 - Request for Hearing on Garnishment (Earnings)(A.R.S. §12-1598.16(F))
 - Notice of Hearing on Garnishment (Earnings)
- Deliver or mail to the judgment creditor a copy of your completed Garnishee's Answer

[] STEP 3: Complete the Nonexempt Earnings Statement and withhold the proper amount from the judgment debtor's pay

The Writ of Garnishment and Summons is an order from the Court requiring you to immediately withhold non-exempt earnings from the judgment debtor. For each pay period, fill out a Nonexempt Earnings Statement to determine how much money to withhold and withhold that amount. Always keep a blank copy of the Nonexempt Earnings Statement for use in future pay periods. You may claim a \$5.00 fee on each Nonexempt Earnings Statement that you complete. Deliver a copy of the Nonexempt Earnings Statement to the judgment debtor with the judgment debtor's paycheck, even if the amount withheld is \$0. Also deliver a copy of the Nonexempt Earnings Statement to the judgment creditor, but do not deliver any withheld earnings to the judgment creditor **until you receive a signed Order of Continuing Lien**. Do not send any Nonexempt Earnings Statements to the Court. Keep the original Nonexempt Earnings Statements in your file.

PLEASE NOTE: You may be discharged from any liability on the garnishment if both of the following occur:

- No objections are filed on the Writ of Garnishment or your Garnishee's Answer
- The Order of Continuing Lien is not entered within 45 days after you filed your Answer

If you are discharged, you must return any earnings you have withheld to the judgment debtor.

[] STEP 4: Await receipt of the Order of Continuing Lien, then pay the judgment creditor

Do not pay the judgment debtor's nonexempt earnings to the judgment creditor until you receive the Order of Continuing Lien signed by the Court. Once you receive the Order, send the judgment creditor any nonexempt earnings you have withheld from the judgment debtor.

For every pay period in which the Order of Continuing Lien is in effect, you must:

- Complete a Nonexempt Earnings Statement
- Withhold the nonexempt earnings from the judgment debtor
- Pay the nonexempt earnings you withheld to the judgment creditor
- Deliver a copy of the completed Nonexempt Earnings Statement and a blank Request for Hearing form to the judgment debtor
- Deliver a copy of the completed Nonexempt Earnings Statement to the judgment creditor
- Keep the original Nonexempt Earnings Statement for your files
- **Do not send any Nonexempt Earnings Statements to the Court**

Notice: Deadlines apply to this process. See A.R.S. § 12-1598.13 (B)&(C) for more information.

ADDITIONAL INFORMATION

If the judgment debtor or judgment creditor objects to the Garnishment, the Garnishee's Answer or a Nonexempt Earnings Statement

The judgment debtor may file an objection and request a hearing on the Writ of Garnishment, your Garnishee's Answer or any Nonexempt Earnings Statement. The judgment creditor or the judgment debtor may file an objection and request a hearing if you fail to provide them with the appropriate Nonexempt Earnings Statement or if you fail to pay nonexempt earnings to the judgment creditor when due. Parties have 10 business days after they receive a Garnishee's Answer or Nonexempt Earnings Statement to file a Request for Hearing and state their objections, unless good cause is shown for filing their objections later (*see* A.R.S. § 12-1598.07).

If you receive more than one garnishment, or a garnishment and a wage assignment for the same judgment debtor's earnings

A.R.S. § 12-1598.14 establishes the priority of payments you must honor if you receive more than one writ of garnishment and/or wage assignment against the same person's earnings. Usually, the first one you received is entitled to be paid first. Special rules may apply to debts owed for child support, spousal maintenance and unpaid taxes which may give them priority regardless of when they were received. You should consult an attorney to determine which judgment creditors to pay first in the case of multiple garnishments against the same judgment debtor.

(1) Person Filing: _____

Mailing Address: _____

City, State, Zip Code: _____

Daytime Phone: _____ Alternate Phone: _____

Email Address: _____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____

(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____

(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

**GARNISHEE'S ANSWER
(EARNINGS)
(A.R.S. §§ 12-1598.08)**

(7) Garnishee:

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

CAUTION: Failure to file a Garnishee's Answer can result in an order being entered against you in the full amount of the debt owed by the judgment debtor to the judgment creditor. This can happen even if you do not know the judgment debtor or do not owe the judgment debtor any earnings.

Case No. (8) _____

1. I am the garnishee or I am authorized by the garnishee to complete and file this Answer. Garnishee's name, address and phone are as listed in (7). I was served with the Writ on (9) _____.

2. The statements checked below are true:

(10) (Check all boxes that apply and fill in blanks for each box checked)

A. ☐ The judgment debtor was not employed by me on the date the Writ and Summons were delivered to me. The judgment debtor's last workday was (11) _____.

B. ☐ I will not owe judgment debtor earnings within 60 days after service of the Writ and Summons.

C. ☐ The judgment debtor was employed by me on the date the Writ and Summons were delivered to me.

D. ☐ I will owe judgment debtor earnings within 60 days after service of the Writ and Summons.

E. ☐ I took the following steps to try to identify the judgment debtor, but was not able to do so for the reasons stated here: (12) _____
_____.

3. According to the Writ and Summons, the total amount owed the judgment creditor is (13) _____.

4. The judgment debtor's next two paydays are (14) _____ and (15) _____.

5. The pay period is (16) (check the box that applies):

☐ Daily

☐ Weekly

☐ Every two weeks

☐ Monthly

☐ Twice per month

☐ Other (explain)(17) _____.

6. I have attached copies of any existing garnishments, wage assignments or levies against judgment debtor which are known to me.

Case No. (8) _____

7. I request an answer fee in the amount of (18) \$ _____, as a reasonable amount for the preparation and filing of this Answer.

(19)

A copy of Garnishee's Answer, Second Notice to Judgment Debtor, Request for Hearing form, and Notice of Hearing on Garnishment (Earnings) form were provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(20)

A copy of Garnishee's Answer was provided to judgment creditor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

OATH OR AFFIRMATION

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

(21) _____
Date

Signature of Garnishee or Authorized Agent

**INSTRUCTIONS
FORM 6
GARNISHEE'S ANSWER (EARNINGS)**

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the garnishee.

USE FORM 6 IF:

- You have received a Writ of Garnishment and Summons (Earnings) which identifies you as the garnishee, or
- You are the authorized agent for a company or other organization that has received a Writ of Garnishment and Summons on which the company or other organization is identified as the garnishee.

TO COMPLETE FORM 6 YOU WILL NEED:

- Any payroll and employment information you may have relating to the judgment debtor.
- Information from the Writ of Garnishment and Summons (Earnings) document with which you were served.
- Information on steps taken by the garnishee in trying to identify the judgment debtor, if you have not been able to identify the judgment debtor.
- Copies of any existing garnishments, wage assignments or liens in your possession against the same judgment debtor.

HOW TO COMPLETE FORM 6:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Garnishee's Answer (Earnings).

- (1) Type or print the name, mailing address, email address, daytime and evening phone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

If you are representing a garnishee but you are not an attorney and you are permitted by law to do so, check the box before "Other." A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a garnishment. In Justice Courts only, a corporation may be represented by either an attorney or by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court); a partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing the Garnishee's Answer.

(2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Garnishee's Answer and the name of the county in which the Court is located.

(3) If you checked this box, type or print the name of the city or town in which you are filing the Garnishee's Answer and the name of the county in which the Court is located.

(4) If you checked this box, type or print the name of the county in which the Court is located.

- (5) Type or print the name, mailing address and, if known, phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.
- (6) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.
- (7) Type or print your name, mailing address and phone number(s) as they appear on the Writ.
- (8) Type or print the case number appearing on the Writ.
- (9) Type or print the date on which you were served with the Writ of Garnishment and Summons.
- (10) Check all boxes that apply and fill in the blanks for each box checked.
- (11) If this statement applies to you, type or print the date on which the judgment debtor last worked for you.
- (12) If this statement applies to you, type or print a description of the efforts you made to identify the judgment debtor and why they were unsuccessful. For example, the judgment debtor has never worked for you. Attach an additional sheet if necessary.
- (13) Type or print the amount of money appearing on the Writ of Garnishment and Summons (Earnings) as the amount of the outstanding balance on the judgment or order, including accrued interest and allowable costs which the judgment creditor is seeking to collect.
- (14) & (15) Type or print the judgment debtor's next two scheduled paydays.
- (16) & (17) Check the box that best describes the judgment debtor's pay period. If none of these options describe the pay period, use line (17) to provide a specific description of the pay period.
- (18) Type or print the amount of money you request to cover your costs for preparation and filing of the Garnishee's Answer (not to exceed \$50).
- (19) Complete the information under this box indicating the date and manner in which you have provided the judgment debtor with a copy of the forms listed in the box.
- (20) Complete the information under this box indicating the date and manner in which you have provided a copy of your Garnishee's Answer to the judgment creditor.
- (21) Date and sign your Answer where indicated.

WHEN YOU HAVE COMPLETED THE ANSWER (EARNINGS):

- ✓ Follow the steps in the Instructions to the Garnishee (Earnings).

AVISO

El Tribunal ha ordenado que su empleador tome un parte de su sueldo y que pague a su acreedor hasta terminado el proceso en contra suya y este pagada law deuda. En conformidad con la ley, su acreedo tiene el derecho a "solo una parte" de su salario. Esta noticia explica su derechos. Ud. puede obtener una traduccion Espanol del Tribunal.

(1) ☐ JUSTICE COURT _____, COUNTY OF _____

(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____

(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

**INITIAL
NOTICE TO
JUDGMENT DEBTOR
OF GARNISHMENT
(EARNINGS)**

(6) Garnishee:

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

NOTICE TO JUDGMENT DEBTOR

You are hereby notified that this Court has issued an order in the above case in favor of the judgment creditor in this proceeding, directing that some of your money, property or corporate shares or interest

Case No. (7) _____

be used to satisfy some or all of your debt to the judgment creditor. The order was issued to enforce the judgment creditor's judgment or support order against you that was obtained as follows:

Court name: (8) _____

Court location: (9) _____

Case number: (10) _____ Date: (11) _____

The judgment creditor named above says you have not paid what you owe on the judgment or support order. At the judgment creditor's request, this Court issued a Writ of Garnishment (attached) to the garnishee named above. The writ says you earned or will earn money working for this garnishee.

The Writ directs the garnishee to start taking out part of the money the garnishee owes you. If ordered by the Court, the garnishee will pay that money to the judgment creditor. This will happen with every paycheck until the judgment is paid or until the Court orders garnishee to stop. Garnishee will withhold only part of each paycheck, if any, depending on how much you earn. In some cases of very low income, no amount can be garnished except for an order for support of a person. Different exemption rights may apply to the collection of taxes. On each payday, you will get a statement that shows how much can be taken out, which is set by state and federal law. An attorney can assist you in determining what part of your pay is exempt. A comprehensive listing of exemptions is available from the website for the U.S. Bankruptcy Court for the District of Arizona, http://www.azb.uscourts.gov/Documents/arizona_exemptions.pdf

If you do not agree, you can ask for a hearing for the reasons listed on the Request for Hearing on Garnishment (Earnings) form which accompanies this Judgment Creditor's Notice to Judgment Debtor of Garnishment. To request a hearing, deliver the request for hearing form enclosed, or a substantially similar form to the Clerk of the Court. At the same time, you must mail or deliver a copy of the request for hearing to the judgment creditor and the garnishee at the addresses provided at the top of this document. If appropriate, you may request a hearing before the garnishee files the Garnishee's Answer.

If you request a hearing, it should be held no later than 10 business days after your request is received by the Court. The Court will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney.

WARNING: If you want a hearing, the Court must receive your completed Request for Hearing on Garnishment (Earnings) form within ten (10) business days after you receive the Garnishee's Answer. If you do not file the hearing request on time, you will not get a hearing unless the Court determines that there is a very good reason why you are late.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

**REQUEST FOR HEARING ON
GARNISHMENT (EARNINGS)
(A.R.S. § 12-1598.16(C))**

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT HEARING. For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

I am the judgment debtor (Defendant) or I represent the judgment debtor in this action. I want a hearing on the garnishment of earnings from this garnishee because:

(9) Check all that apply.

- ☐ The amount being withheld from my pay is causing an extreme financial hardship for me or my family.

Attention Judgment Creditor: If Judgment Debtor has requested a hearing on the Garnishment (Earnings) on the claim of financial hardship AND if Judgment Creditor has no objection to a reduction to 15% of the non-exempt disposable earnings, which is the minimum garnishment permitted by A.R.S. § 12-1598.10(F), please provide a revised proposed form of Order of Continuing Lien at the 15% rate and the Court will vacate the hearing.

- ☐ The judgment creditor does not have a valid judgment against me because (A) _____
- ☐ The judgment has been paid in full.
- ☐ On my normal payday, I received no earnings (paycheck).
- ☐ I did not get a copy of the nonexempt earnings statement with my paycheck.
- ☐ My employer did not deliver to me, within 15 days of when my employer was served with the Writ of Garnishment, one or more of the following documents:
- ☐ Notice to Judgment Debtor
 - ☐ Garnishee's Answer
 - ☐ Request for Hearing
- ☐ My debt to this judgment creditor is subject to a qualified debt scheduling agreement with:
(If you checked this box, enter the name of the debt counseling organization that set up your debt scheduling agreement.)
(B) _____

(10)

(11)

(12)

I provided a copy of this request to Judgment Creditor on:

Date: _____

By: ☐ Mail
☐ Hand delivery

I provided a copy of this request to Garnishee (my employer) on:

Date: _____

By: ☐ Mail
☐ Hand delivery

I provided a copy of this request to the Judge/Commissioner on:

Date: _____

By: ☐ Mail
☐ Hand delivery

The Court can call me at (13) _____ (phone) between 8 a.m. and 5 p.m. regarding the hearing, if necessary.

(14) _____
(Date)

Judgment Debtor or Authorized Agent

WARNING TO JUDGMENT DEBTOR: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after you receive Garnishee's Answer, unless you show good reason for the delay.

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**NOTICE OF HEARING
ON GARNISHMENT
(EARNINGS)**

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

A request for hearing has been filed.

This matter is set for a hearing before _____ (Judicial Officer) at the following date, time and place:

Date: _____

Time: _____

Place: _____

Case No. (7)_____

Bring to the Court hearing any documents or exhibits you want to use as proof in your case.

If any party fails to appear at the hearing after proper notice, the Court may:

- **Take evidence and/or oral testimony from any parties who do appear**
- **Make a decision based on the information provided in the documents filed and at the hearing**
- **Inform the parties who are present of the decision and sign appropriate orders.**

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case in advance of a scheduled Court proceeding.

If you require the services of an interpreter for a foreign language or for the hearing impaired, contact the Court immediately to determine whether accommodations can be made to assist you or to receive further information.

Date

Judicial Officer

AVISO

El Tribunal ha ordenado que su empleador tome una parte de su sueldo y que pague a su acreedor hasta terminado el proceso en contra suya y este pagada la deuda. En conformidad con la ley, su acreedor tiene el derecho a "solo una parte" de su salario. Esta noticia explica sus derechos. Ud. puede obtener una traducción en español del Tribunal.

(1) ☐ JUSTICE COURT _____, COUNTY OF _____

(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____

(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

**SECOND NOTICE TO
JUDGMENT DEBTOR OF
GARNISHMENT (EARNINGS)**

(6) Garnishee:

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

Account No.: _____

NOTICE TO JUDGMENT DEBTOR

This is your second notice that a Writ of Garnishment has been issued to the garnishee named above. This Writ is a court order that requires the garnishee to take part of the money owed to you and pay it to

the judgment creditor. This will happen with every paycheck until the judgment is paid or the Court orders the garnishee to stop.

The garnishee will withhold only part, if any, of each paycheck, depending on how much you earn. The rest must be paid to you. On each payday, you will get a Nonexempt Earnings Statement that shows how much can be taken out, which is set by state and federal law. A comprehensive list of exemptions is available from the website for the U.S. Bankruptcy Court for the District of Arizona, http://www.azb.uscourts.gov/Documents/arizona_exemptions.pdf

If you do not agree, you can ask for a hearing for any of the reasons listed on the Request for Hearing (Earnings) form that accompanies this Notice. To request a hearing, complete the Request for Hearing (Earnings) form and deliver it to the Clerk of Court within 10 business days of the date you received the Garnishee's Answer. At the same time, you must mail or deliver a copy of the completed Request for Hearing (Earnings) form to the judgment creditor and the garnishee at the addresses provided at the top of this document. You may be required to pay a fee for the hearing or request a waiver of the fee.

If you ask for a hearing it will be held no later than 10 business days after your request is received by the Court. The Court will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney. Even if you do not request a hearing at this time, if you think that the garnishee is taking too much money out of your pay pursuant to this garnishment at some time in the future, you can ask for a hearing at that time.

WARNING: The Court must receive the hearing request form within ten (10) business days after you get the Garnishee's Answer. If you do not file the Request for Hearing on time, you may not get a hearing unless there is a very good reason why you are late.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Numbers(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

**REQUEST FOR
HEARING ON GARNISHMENT
(EARNINGS)
(A.R.S. § 12-1598.16(F))**

ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO
CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT

HEARING. For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

I am the judgment debtor (Defendant) or I represent the judgment debtor in this action. I want a hearing on this garnishment because:

(9) *Check all that apply*

- ☐ The amount being withheld from my pay is causing an extreme financial hardship for me or my family.

Attention Judgment Creditor: If Judgment Debtor has requested a hearing on the Garnishment (Earnings) on the claim of financial hardship AND if Judgment Creditor has no objection to a reduction to 15% of the non-exempt disposable earnings, which is the minimum garnishment permitted by A.R.S. § 12-1598.10(F), please provide a revised proposed form of Order of Continuing Lien at the 15% rate and the Court will vacate the hearing.

- ☐ The amount claimed in the Writ of Garnishment is incorrect.
- ☐ The judgment creditor does not have a valid judgment against me because this garnishment has been filed against the wrong person or because (A) _____
- _____
- ☐ The judgment has been paid in full.
- ☐ On my normal payday, I received no earnings (paycheck).
- ☐ I did not get a copy of the nonexempt earnings statement with my paycheck.
- ☐ My employer did not deliver to me, within 15 days of when my employer was served with the Writ of Garnishment, one or more of the following documents:
- Notice to Judgment Debtor
 - Garnishee's Answer
 - Request for Hearing
- ☐ My debt to this judgment creditor (Plaintiff) is subject to a qualified debt scheduling agreement: *(If you checked this box, enter the name of the debt counseling organization that set up your debt scheduling agreement.)*
- (B) _____
- ☐ Other: (C) _____

(10)

I provided a copy of this request to Judgment Creditor on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(11)

I provided a copy of this request to Garnishee (my employer) on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(12)

I provided a copy of this request to the judicial officer on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(8) Case No.: _____

The Court can call me at (13) _____ (phone) between 8 a.m. and 5 p.m. regarding the hearing, if necessary.

(14) _____
Date

Judgment Debtor or Authorized Agent

WARNING TO JUDGMENT DEBTOR: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after you receive Garnishee's Answer, unless you show good reason for the delay.

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

**GARNISHEE'S NONEXEMPT
EARNINGS STATEMENT
(NOT FOR SUPPORT OF A PERSON)
(A.R.S. §§ 12-1598.11 & 12-1598.16(J))**

(6) Garnishee:

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

1. This Nonexempt Earnings Statement covers the following pay period:

(8) _____ to _____.

2. Do you currently employ the judgment debtor? (9) ☐ Yes ☐ No

3. If no, what was the last date on which the judgment debtor worked for you?

(10) _____.

4. Is the judgment debtor owed any earnings for this pay period? (11) ☐ Yes ☐ No

Case No. (7) _____

WITHHOLDING WORKSHEET

Judgment debtor's gross earnings (pre-tax) for this pay period (12) \$ _____

Judgment debtor's disposable earnings (gross minus deductions required
by law) (13) \$ _____

25% of line (13) (or other percentage ordered by the Court) (14) \$ _____

Judgment debtor's pay period: (15) (check one)

☐ Weekly (factor = 30) ☐ Biweekly (factor = 60)

☐ Semimonthly (factor = 65) ☐ Monthly (factor = 130)

Current federal minimum wage: (16) \$ _____/hr.

Line (16) multiplied by factor selected in (15) (17) \$ _____

Line (13) minus line (17) (18) \$ _____

Amount from line (14) or line (18), whichever is smaller (19) \$ _____

Amount withheld for other court-ordered assignment for support of a
person or other garnishment or levy for collection of taxes (20) \$ _____

Line (19) minus line (20), this is the amount withheld (21) \$ _____

Line (21) minus employer's \$5.00 processing fee (22) \$ _____

The amount shown on line (21) is the amount you should withhold for this pay period.

The amount shown on line (22) is the amount you deliver to the judgment creditor.

(23)

(24)

Copy provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

Copy provided to judgment creditor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(25) _____
Date

Garnishee or Authorized Agent

- (1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone: _____

(6) Garnishee:

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

**GARNISHEE'S NONEXEMPT
EARNINGS STATEMENT
(Support Judgment)
(A.R.S. § 12-1598.16(K))**

1. This non-exempt earnings statement covers the following pay period:

(8) _____ to _____.

2. Do you currently employ the judgment debtor? (9) ☐ Yes ☐ No

3. If no, what was the last date on which the judgment debtor worked for you?

(10) _____.

4. Do you owe the judgment debtor any earnings for this pay period? (11) ☐ Yes ☐ No

Case No. (7) _____

WITHHOLDING WORKSHEET

Judgment debtor's gross earnings (pre-tax) for this pay period (12) \$ _____

Judgment debtor's deductions required by law (13) \$ _____

Judgment debtor's disposable income: line (12) minus line (13) (14) \$ _____

Enter 50% of line (14) (15) \$ _____

Enter amounts withheld pursuant to a garnishment or levy served before
this garnishment that was for support of a person (16) \$ _____

Enter amounts withheld pursuant to a garnishment or levy served before
this garnishment that was **not** for support of a person (17) \$ _____

Line (16) plus line (17) (18) \$ _____

Line (15) minus line (18)..... (19) \$ _____

Line (19) minus \$5. (20) \$ _____

The amount shown on line (19) is the amount you should withhold for this pay period.

The amount shown on line (20) is the amount you deliver to the judgment creditor.

(21)

(22)

Copy provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

Copy provided to judgment creditor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(23) _____
Date

Garnishee or Authorized Agent

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**REQUEST FOR
HEARING ON NONEXEMPT
EARNINGS STATEMENT
(A.R.S. § 12-1598.16(J)&(K))**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

I am the judgment debtor or I represent the judgment debtor in this action. I want a hearing on the attached Garnishee's Nonexempt Earnings Statement because:

(9) (Check all that apply)

☐ The Nonexempt Earnings Statement is incorrectly filled out.

Case No. (8) _____

[] Other: **(10)** _____

(11)

Copy provided to judgment creditor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(12)

Copy provided to garnishee on:

Date: _____

By: ☐ Mail ☐ Hand delivery

The Court can call me at (13) _____ between 8 a.m. and 5 p.m.
regarding the hearing, if necessary. (phone)

(14) _____
(Date)

Judgment Debtor or Authorized Agent

WARNING TO JUDGMENT DEBTOR: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after you receive the Garnishee's Nonexempt Earning Statement, unless you show good reason for the delay.

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

**CREDITOR'S
GARNISHMENT
REPORT
(A.R.S. § 12-1598.12)**

(6) Garnishee:
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

This report covers the period from (8) _____ to _____.

I received these payments during this period (9) (attach list if necessary)

<u>Date</u>	<u>Amount</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Case No. (7) _____

Judgment balance at beginning of period (10) \$ _____

Total credited to the judgment balance this
period (11) \$ _____

Interest accrued during this period (12) \$ _____

Total outstanding balance at end of period. (13) \$ _____

The following statements apply: (14) (check all that apply)

- ☐ Balance due is \$500 or less.
- ☐ Balance due is less than double the amount received in the last two pay periods.
- ☐ Garnishee should stop withholding earnings.

(15)

Copy provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(16)

Copy provided to garnishee on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(17) _____
Date

Judgment Creditor or Authorized Agent

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**REQUEST FOR
HEARING (EARNINGS)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

1. I am the:

(9) (Check one)

☐ Judgment creditor or authorized representative

☐ Judgment debtor or authorized representative

☐ Garnishee or authorized representative

Case No. (8) _____

2. The reason I am requesting a hearing is because:

(10) (Attach additional sheets if necessary)

_____.

(11)

(12)

Copy provided to judgment debtor on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

Copy provided to garnishee on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(13)

Copy provided to judgment creditor on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

The Court can call me at (14) _____ between 8 a.m. and 5 p.m.
regarding the hearing, if necessary. (phone)

(15) _____
Date

Signature

WARNING: Your hearing request may be subject to a filing deadline.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**PETITION FOR ORDER TO SHOW
CAUSE REGARDING GARNISHEE'S
DEFAULT (EARNINGS)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

PETITION

I am the judgment creditor or authorized agent of the judgment creditor in this action. I want the Court to order the garnishee to appear and show cause why judgment should not be entered against the garnishee in the full amount of judgment against the judgment debtor and why the garnishee should not pay costs of this Petition and attorney's fees. This Petition is based on the following facts:

1. The Court issued a Writ of Garnishment to garnishee on (9) _____.

Case No. (8) _____

2. Garnishee was served on (10) _____ and Garnishee's Answer was due on (11) _____.
3. Garnishee's Answer has not been filed with the Court or received by the judgment creditor.
4. Judgment debtor owes judgment creditor (12) \$ _____.

(13) _____
Date

Signature of Judgment Creditor or Authorized Agent

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**ORDER TO SHOW CAUSE
REGARDING GARNISHEE'S
DEFAULT
(EARNINGS)**

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

This matter is set for a hearing before _____ (Judicial Officer). Garnishee is ordered to appear at the following date, time and place to show cause why judgment should not be entered as shown in the Petition for Order to Show Cause or to file an Answer with the Court. The garnishee must serve a copy of the filed Answer on the judgment creditor no later than 5 business days before the hearing date set by this Order. If an Answer is filed, check with the Court to confirm the hearing date.

Case No. (7) _____

Date: _____

Time: _____

Place: _____

Bring to the Court hearing any documents or exhibits you want to use as proof in your case.

If any party fails to appear at the hearing after proper notice, the Court may:

- **Take evidence and/or oral testimony from any parties who do appear**
- **Make a decision based on the information provided in the documents filed and at the hearing**
- **Inform the parties who are present of the decision and sign appropriate orders.**

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case in advance of a scheduled Court proceeding.

If you require the services of an interpreter for a foreign language or for the hearing impaired, contact the Court immediately to determine whether accommodations can be made to assist you or to receive further information.

Date

Judicial Officer

(1) Person Filing: _____

Mailing Address: _____

City, State, Zip Code: _____

Daytime Phone: _____ Alternate Phone: _____

Email Address: _____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____

(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____

(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(7) Garnishee:

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

**PETITION FOR ORDER
DISCHARGING GARNISHEE
(EARNINGS)**

I am the judgment creditor or authorized agent of the judgment creditor in this action. The garnishee should be discharged.

(9) (Check the box that applies)

☐ The Garnishment Judgment has been satisfied.

☐ The Garnishment Judgment has not been satisfied.

(10)

Copy provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(11)

Copy provided to garnishee on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(12) _____
Date

Judgment Creditor or Authorized Agent

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**ORDER DISCHARGING
GARNISHEE
(EARNINGS)**

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Address: _____
Email Phone(s): _____
Attorney: _____

Based on the statements appearing in the Petition for Order Discharging Garnishee, it is ordered that garnishee is discharged.

Date

Judicial Officer

(1) Person Filing: _____

Mailing Address: _____

City, State, Zip Code: _____

Daytime Phone: _____ Alternate Phone: _____

Email Address: _____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____

(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____

(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

CERTIFICATE OF SERVICE

(7) Garnishee:

Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

On (9) _____ (date), I (10) (check all boxes that are true):

☐ Mailed by regular mail (postage prepaid)

☐ Mailed by Certified mail (return receipt attached)

☐ Hand-delivered by (11) _____

(12) a copy of the following documents:

1. _____

2. _____

(8) Case No.: _____

3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

(13) to the following person(s):

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

OATH OR AFFIRMATION

**I declare under penalty of perjury that the foregoing is true and correct
to the best of my knowledge, information, and belief.**

(14) _____
Date

Signature

**INSTRUCTIONS
FORM 21
CERTIFICATE OF SERVICE**

USE FORM 21 IF:

- You are a party to a garnishment and have filed a pleading other than the original application, a copy of which must be provided to one or more parties to the proceeding by mail or hand delivery.

TO COMPLETE FORM 21 YOU WILL NEED:

- The titles of the court papers you mailed or hand-delivered to the other party/parties in this action.
- Information on the Writ of Garnishment and Summons (Earnings).

HOW TO COMPLETE FORM 21:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Certificate of Service.

- (1) Type or print the name, mailing address, email address, and phone number(s) of the person filing this form. If you are representing yourself in this matter, check the box before “Self.” If you are representing a judgment debtor and you are not an attorney, check the box before “Other.”

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

- (2), (3) & (4) Check the appropriate box that identifies the Court in which you are filing this Certificate of Service, which will be the same Court in which the other documents for this garnishment have previously been filed.

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Certificate of Service and the name of the county in which the Court is located.

- (3) If you checked this box, type or print the name of the city or town in which you are filing this Certificate of Service and the name of the county in which the Court is located.

- (4) If you checked this box, type or print the name of the county in which the Court is located.

- (5) Type or print the petitioner/plaintiff’s name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.

- (6) Type or print the respondent/defendant’s name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.

- (7) Type or print the garnishee’s name as it appears on the Writ, mailing address, phone number(s) and attorney (if known).

- (8) Type or print the case number appearing on the Writ.

- (9) Type or print the date you mailed or hand-delivered the court papers to the other party/parties.
- (10) Check the box describing the manner of mailing or delivery.
- (11) If you checked this box, type or print the name of the person who performed the hand delivery.
- (12) Type or print the title of each court paper you mailed or delivered.
- (13) Type or print the name and address of each party to whom you mailed or delivered the court document(s).
- (14) Date and sign your name where indicated.

WHEN YOU HAVE COMPLETED THE CERTIFICATE OF SERVICE:

- ✓ File this form with the Clerk's filing counter.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Daytime Phone: _____ Alternate Phone: _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**SATISFACTION OF JUDGMENT
(EARNINGS GARNISHMENT)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

PLEASE TAKE NOTICE THAT:

The Judgment entered in this action has been satisfied.

(9) _____
Date

Signature of Judgment Creditor or Authorized Agent

Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

☐ JUSTICE COURT _____, COUNTY OF _____
☐ MUNICIPAL COURT _____, COUNTY OF _____
☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

Petitioner/Plaintiff

Case No.: _____

☐ Judgment Creditor ☐ Judgment Debtor

Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**CONSENT REGARDING JUDGMENT
DEBTOR'S HARDSHIP TO REDUCE
GARNISHMENT OF NON-EXEMPT
EARNINGS TO FIFTEEN PERCENT**

Respondent/Defendant

☐ Judgment Debtor ☐ Judgment Creditor

Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

Garnishee:

Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

1. I am the Judgment Creditor or authorized representative.
2. The Judgment Debtor has requested a hearing claiming the garnishment of 25% of the non-exempt earnings has created a hardship.
3. As the Judgment Debtor has claimed a hardship, and the Court has the discretion to reduce the garnishment of the non-exempt earnings to 15%, the Judgment Creditor consents to the reduction of the garnishment to 15% of the non-exempt earnings.
4. Since the Judgment Creditor has consented to the reduction, the hearing on the garnishment is unnecessary and the Court may vacate the hearing.

Case No.: _____

5. The Judgment Creditor with this Notice of Consent has attached an Order of Continuing Lien reflecting the reduction to 15% of the non-exempt earnings. This Order of Continuing Lien will be effective 10 days after its signing.

A copy was provided to judgment debtor on:

Date: _____
By: ☐ Mail
☐ Hand delivery

A copy was provided to garnishee on:

Date: _____
By: ☐ Mail
☐ Hand delivery

Date

Signature

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**APPLICATION FOR WRIT OF
GARNISHMENT
(NON-EARNINGS)
(A.R.S. §§ 12-1572 through -1597)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

1. I am the judgment creditor. I was awarded a money judgment or order against the judgment debtor.
2. The amount of the outstanding balance on the judgment or order, including accrued interest and allowable costs, is (9) \$ _____. Interest accrues at the rate of (10) _____% per (11) _____. The cost of serving the Writ of Garnishment will be as shown on the Affidavit of Service and may be added to the Judgment along with allowable costs.

3. I believe the statements checked below are true:

(12) (Check all that apply)

- ☐ Garnishee owes judgment debtor money which was not earned by judgment debtor for personal services.
- ☐ Garnishee is holding money for judgment debtor which is not exempt from collection.
- ☐ Garnishee has personal property which belongs to judgment debtor and is not exempt from collection.
- ☐ Garnishee is a corporation and judgment debtor owns shares or other interest in the corporation.

4. I have provided garnishee's name and address in the caption above.

5. I have attached a completed Writ of Garnishment and Summons form and ask that the Writ be issued.

(13) _____
Date

Signature of Judgment Creditor or Authorized Agent

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**WRIT OF GARNISHMENT
AND SUMMONS
(NON-EARNINGS)
(A.R.S. §§12-1571 through -1574)**

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

TO THE SHERIFF, CONSTABLE OR OTHER AUTHORIZED PROCESS SERVER IN (8) _____
_____ COUNTY: You are commanded to summon garnishee named above,
who is believed to be in your county, to answer the following claims:

STATEMENTS OF JUDGMENT CREDITOR

1. Judgment creditor was awarded a judgment or order against (9) _____, judgment debtor.

Case No. (7) _____

2. The amount of the outstanding balance on the judgment or order, including accrued interest and allowable costs, is (10) \$ _____. Interest accrues at the rate of (11) _____% per (12) _____. The cost of serving this Writ of Garnishment will be as shown on the Affidavit of Service and may be added to the judgment.
3. Judgment creditor believes that garnishee holds nonexempt property or money other than wages owed or belonging to judgment debtor.
4. The names and addresses of all parties are as listed in (4), (5), and (6).

TO THE GARNISHEE (A.R.S. § 12-1579)

YOU SHALL answer all the following questions in writing, under oath, on a separate document. Your answer must be filed with the Court within 10 business days after you are served with this Writ of Garnishment.

- A. Were you holding personal property or money other than wages belonging to the judgment debtor at the time this Writ was served on you?
- B. How much money do you owe the judgment debtor and how much of that money did you withhold pursuant to the Writ? Did you release any of that money after you were served with the Writ, and, if so, how much did you release and why?
- C. Did you possess any personal property belonging to the judgment debtor at the time the Writ was served on you? If so, please describe each item or group of items you held and describe the specific items of personal property you withheld pursuant to the Writ, if any.
- D. If the garnishee is a corporation, what shares or interest does the judgment debtor own?

SUMMONS

A WRIT OF GARNISHMENT has been issued, naming you as garnishee. You are required to answer this Writ in writing, under oath, and file the answer with the Court within 10 days (excluding weekends and holidays) after service on you. If you fail to file an answer, you may be ordered to appear in person to answer this Writ, and a default judgment may be entered against you. If a default judgment is entered against you, you may be ordered to pay the full amount shown on this Writ, plus attorney fees and costs.

THIS SUMMONS IS NOT A REQUEST TO SEND ANY MONEY OR PERSONAL PROPERTY TO THE COURT.

Date

Judicial Officer/Clerk of the Court

NOTICE TO GARNISHEE

You should have been served with a blank Garnishee's Answer form. You may complete and file this form to make your required answer.

FORM 3
INSTRUCTIONS TO THE GARNISHEE (NON-EARNINGS)
(for the garnishee who owes money other than wages, or
holds personal property belonging to the judgment debtor)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly.

If you, the garnishee, fail to meet your responsibilities in this garnishment proceeding, the Court may order you to pay the judgment creditor's attorney fees, costs and even the amount of money which the judgment debtor owes the judgment creditor. This can happen even if you do not have any of the judgment debtor's property or do not owe the judgment debtor any money.

You have been served with a Writ of Garnishment and Summons in which you are named as the "garnishee." The person or company that filed this court action (the "judgment creditor") is attempting to collect payment from an individual or organization named as the "judgment debtor." You are involved in this proceeding because the judgment creditor believes you either owe the judgment debtor money, other than wages, or are in possession of personal property owned by the judgment debtor.

The judgment creditor should have served you with the following documents:

- Writ of Garnishment and Summons (Non-Earnings)(you should have received 2 copies)
This document identifies the parties and the reason for the garnishment.
- Instructions to the Garnishee (Non-Earnings)
This document explains your rights and responsibilities in this court action.
- Garnishee's Answer (Non-Earnings) (4 copies)
You will complete this document and file it with the Court.
- Notice to Judgment Debtor of Garnishment (Non-Earnings) (2 copies)
This document explains the judgment debtor's rights and responsibilities.
- Request for Hearing (Non-Earnings) (2 copies)
This document can be used by the judgment debtor to object to the garnishment or the Garnishee's Answer.
- Notice of Hearing on Garnishment (Non-Earnings) (2 copies)
This document is completed by the Court to notify parties of a hearing on a judgment debtor's objection.
- One copy of the Judgment in the original lawsuit between the judgment creditor and the judgment debtor
This document shows you how much money was awarded to the judgment creditor in the case against the judgment debtor.

STEP 1: DELIVER DOCUMENTS TO THE JUDGMENT DEBTOR

Within 3 business days of the date on which you received the paperwork listed above, deliver one copy of the following documents to the judgment debtor:

- Writ of Garnishment and Summons (Non-Earnings)
- Notice to Judgment Debtor of Garnishment (Non-Earnings)
- Request for Hearing (Non-Earnings)

- Notice of Hearing on Garnishment (Non-Earnings)
- The Judgment in the original lawsuit between the judgment creditor and the judgment debtor

These documents can be delivered personally by you, or by first class mail, or they can be served by a constable, deputy sheriff or other process server. If you use a constable, deputy sheriff or process server, you will have to pay a fee.

STEP 2: FILE YOUR ANSWER WITH THE COURT

You must file an Answer **within 10 business days** after the date on which you received the paperwork listed above, even if you do not have any property or owe any money to the judgment debtor. Fill out the Garnishee's Answer (Non-Earnings) form and file it with the Court. Send a copy to the judgment debtor and the judgment creditor (by mail or by personal delivery). Show on the Garnishee's Answer how you delivered the copies to the other parties. **This must be done within 10 business days.** Failure to file the Garnishee's Answer can result in an order being entered against you in the full amount of the debt owed by the judgment debtor to the judgment creditor.

CAUTION: Failure to file a Garnishee's Answer can result in an order being entered against you in the full amount of the debt owed by the judgment debtor to the judgment creditor. This can happen even if you do not know the judgment debtor or do not owe the judgment debtor any money or property.

STEP 3: HOLD ON TO WHATEVER PROPERTY OR MONEY YOU HAVE THAT BELONGS TO THE JUDGMENT DEBTOR UNTIL FURTHER NOTICE FROM THE COURT

The Writ of Garnishment and Summons tells you, the garnishee, to maintain control over any of the judgment debtor's property in your possession on the day the Writ was received.

- Some types and amounts of property are not subject to garnishment. A list of these is shown on the Request for Hearing form (FORM 8). You should review this list. An attorney can help determine how much of the debtor's property is exempt.
- Corporate garnishees should not transfer any shares or interest belonging to the judgment debtor until further court order.

STEP 4: AWAIT THE COURT'S RULING

The Court may issue a Garnishment Judgment directing the release of the debtor's funds or other property to the judgment creditor after any objections to the garnishment are considered. The judgment creditor will send you an unsigned copy of the Garnishment Judgment at the time it is filed with the Court. After the judge has signed this form, the Court will send you a signed version of the Garnishment Judgment informing you of how to proceed. Do not proceed until you have received the signed Judgment.

If you are holding money or other property of the judgment debtor and you do not receive a signed Garnishment Judgment within 90 days of the date on which the Garnishee's Answer was filed, you must then return the property to the judgment debtor (A.R.S. § 12-1587). Before returning the property, contact the Court or the judgment creditor to verify that the Court has not in fact signed a Garnishment Judgment in your case.

What to do if the judgment debtor objects to the Garnishment or the Garnishee's Answer:

The judgment debtor has 10 business days after receiving the Garnishee's Answer to file a Request for Hearing on Garnishment (Non-Earnings). The judgment debtor is responsible for sending a copy of the Request for Hearing to you. The Court will notify you of the hearing date. You may attend this hearing.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**GARNISHEE'S ANSWER
(NON-EARNINGS)
(A.R.S. §§ 12-1578.01 & -1579)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

CAUTION: Failure to file a Garnishee's Answer can result in an order being entered against you in the full amount of the debt owed by the judgment debtor to the judgment creditor. This can happen even if you do not know the judgment debtor or do not owe the judgment debtor any money or property.

1. I am the garnishee or I am authorized by the garnishee to complete and file this Answer. The word 'money' as used in this Answer does not refer to wages. Garnishee's name, address and phone are as listed in (7).

2. The statements checked below were true at the time the Writ was served:

(9) (Check all boxes that apply and fill in blanks for each box checked)

A. ☐ I was not holding personal property or money belonging to judgment debtor.

Case No. (8) _____

B. ☐ I owed judgment debtor (10) \$ _____. I am withholding
(11) \$ _____ pursuant to the Writ.

C. ☐ I released (12) \$ _____ because (13) _____
_____.

D. ☐ I was in possession of the following personal property belonging to the judgment debtor:
(14) _____ (attach list if
necessary). I am holding (15) _____
(attach list if necessary) pursuant to the Writ.

E. ☐ Garnishee is a corporation in which the judgment debtor owns these shares or interest:
(16) _____
(attach list if necessary).

3. The following person/organization holds personal property or money which belongs to judgment debtor:
(17) _____

4. Garnishee requests an answer fee in the amount of (18) \$ _____, as a reasonable amount for
the preparation and filing of this Answer.

(19)

(20)

Copies of the Answer, Writ of Garnishment and
Summons, Notice to Judgment Debtor of Garnishment,
Notice of Hearing form, Request for Hearing form and
a copy of the underlying judgment were provided to
judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand Delivery
☐ Constable, Deputy Sheriff or Process Server

Copy of the Answer provided to judgment
creditor on:

Date: _____

By: ☐ Mail ☐ Hand Delivery
☐ Constable, Deputy Sheriff or Process Server

OATH OR AFFIRMATION

**I declare under penalty of perjury that the foregoing is true and correct
to the best of my knowledge, information, and belief.**

(21) _____
Date

Signature of Garnishee or Authorized Agent

**INSTRUCTIONS
FORM 4
GARNISHEE'S ANSWER (NON-EARNINGS)**

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 4 IF:

- You have received a Writ of Garnishment and Summons (Non-Earnings) which identifies you as the garnishee, or
- You are the authorized agent for a company or other organization that has received a Writ of Garnishment and Summons on which the company or other organization is identified as the garnishee.

TO COMPLETE FORM 4 YOU WILL NEED:

- If you are holding personal property or money other than wages belonging to the individual or organization identified as the judgment debtor, you will need a detailed description of the exact items you are holding. This information must include a means of identifying specific items such as an account number, vehicle identification number or serial number.
- Information on the Writ of Garnishment and Summons (Non-Earnings) with which you were served.

HOW TO COMPLETE FORM 4:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Garnishee's Answer (Non-Earnings).

- (1) Type or print the name, mailing address, email address, and telephone numbers of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

Check the box before "Other" if you are representing a garnishee but you are not an attorney and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a garnishment. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court); a partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you are filing this Garnishee's Answer (Non-Earnings).

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing the Garnishee's Answer and the name of the county in which the Court is located.
- (3) If you checked this box, type or print the name of the city or town in which you are filing the Garnishee's Answer and the name of the county in which the Court is located.
- (4) If you checked this box, type or print the name of the county in which the Court is located.
- (5) Type or print the petitioner/plaintiff's name, mailing address and, phone number(s) as they appear on the Writ. Check the box to indicate whether this party is the judgment creditor or judgment debtor as shown on the Writ.
- (6) Type or print the respondent/defendant's name, mailing address and phone number(s) as they appear on the Writ. Check the box to indicate whether this party is the judgment debtor or judgment creditor as shown on the Writ.

- (7) Type or print the garnishee's name, mailing address, phone number, as they appear on the Writ and attorney (if any).
- (8) Type or print the case number assigned to the judgment or order.
- (9) Check all boxes that apply and fill in the blanks for each box checked.
- (10) If this statement applies to you, type or print the amount of money you owed the judgment debtor on the date you received the Writ of Garnishment and Summons.
- (11) If this statement applies to you, type or print the amount of money that you currently owe the judgment debtor and have not yet paid.
- (12) If this statement applies to you, type or print the amount of money you provided to the judgment debtor after receiving the Writ of Garnishment and Summons.
- (13) Type or print your explanation of why you did not retain the money described in item (12). Attach an additional sheet with your explanation if necessary.
- (14) If this statement applies to you, type or print a description of each item of personal property or group of items belonging to the judgment debtor that you had in your possession on the date you received the Writ of Garnishment.
- (15) If this statement applies to you, type or print a description of each item or group of items belonging to the judgment debtor that you currently have in your possession.
- (16) If this statement applies to you, type or print a description of the corporate shares or interests belonging to the judgment debtor.
- (17) Type or print the name of any other person or organization of which you are aware that owes money to the judgment debtor or is in possession of personal property belonging to the judgment debtor.
- (18) Type or print the amount of money you want to receive for preparation and filing of the Answer.
- (19) Complete the information under this box indicating the date and manner in which you will provide a copy of your Answer, Writ of Garnishment and Notice to Judgment Debtor forms to the judgment debtor.
- (20) Complete the information under this box indicating the date and manner in which you will provide a copy of your Answer to the judgment creditor.
- (21) Date and sign your Answer where indicated.

WHEN YOU HAVE COMPLETED THE ANSWER (NON-EARNINGS):

- ✓ Follow the steps on FORM 3, Instructions to the Garnishee (Non-Earnings).

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**APPLICATION FOR
GARNISHMENT JUDGMENT
(NON-EARNINGS)
(A.R.S. § 12-1584)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

I am or I represent the judgment creditor in this action. I want the court to order judgment against garnishee as shown below:

(9) (Check all boxes that apply and fill in blanks for each box checked)

☐ The Answer states garnishee withheld money belonging to the judgment debtor from which my claim can be paid. The amount withheld is (10) \$ _____. I request judgment in the amount of (11) \$ _____.

Case No. (8) _____

☐ The Answer states garnishee is holding nonexempt personal property belonging to judgment debtor.

I request: (check all that apply and fill in the blank for each box checked)

☐ that the following property be sold (12) _____,

and that I receive (13) \$ _____ from the sale proceeds.

☐ that the following property be transferred to me: (14) _____

_____.

☐ The Answer states judgment debtor owns shares or other interest in garnishee corporation. I request that these shares or other interest be sold, and that I receive (15) \$ _____ from the sale proceeds.

☐ I am entitled to (16) \$ _____ for service of the Writ and other allowable costs as stated on the affidavit of service to be taxed against the judgment debtor.

☐ Neither an Answer nor objection was filed by the garnishee within the time required by law. A hearing was held on (17) _____. Therefore, I request judgment against the garnishee for the entire balance due me on the underlying judgment in the amount of (18) \$ _____.

(19)

Copy of the Application for Garnishment Judgment and the unsigned Garnishment Judgment provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(20)

Copy of the Application for Garnishment Judgment and the unsigned Garnishment Judgment provided to garnishee on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(21) _____
Date

Signature of Judgment Creditor or Authorized Agent

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**GARNISHMENT JUDGMENT
(NON-EARNINGS)**

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

This court issued a Writ of Garnishment to garnishee for (8) \$ _____ and the following is shown from the Answer:

(9) (Check all boxes that apply and fill in the blanks for each box checked)

☐ Garnishee owes judgment debtor (10) \$ _____.

THEREFORE, IT IS ORDERED that judgment creditor has judgment against garnishee for

(11) \$ _____ plus costs, interest and attorney's fees in the amount of

(12) \$ _____. Total: (13) \$ _____.

☐ Garnishee has the following nonexempt property belonging to judgment debtor: (14) _____

_____. (attach
list if necessary).

THEREFORE, IT IS ORDERED that this property be sold under a special writ of execution for the benefit of creditor.

☐ Judgment debtor owns this stock or interest in garnishee corporation: (15) _____

_____.
THEREFORE, IT IS ORDERED that said interest be sold under a special writ of execution for the benefit of creditor.

☐ Garnishee has failed to answer and a default has been entered.

THEREFORE, IT IS ORDERED that creditor have judgment against garnishee for (16) \$ _____
_____ and attorney fees of (17) \$ _____.

IT IS FURTHER ORDERED awarding Garnishee the sum of (18) \$ _____
for reasonable compensation for answering the Writ, said sum to be paid by (19) _____
_____ or withheld by Garnishee from the funds subject to
garnishment.

IT IS FURTHER ORDERED taxing the cost of the application for the Writ in the amount of
(20) \$ _____ and the cost of service of the Writ in the amount of
(21) \$ _____ against (22) _____.

☐ Garnishee is not indebted to nor in possession of property of judgment debtor.

THEREFORE, IT IS ORDERED that garnishee is discharged.

Upon filing the satisfaction of this judgment, garnishee is released from the Writ of Garnishment issued
(23) _____.

Date

Judicial Officer

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor

(8) Case No.: _____

Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**NOTICE TO JUDGMENT
DEBTOR OF GARNISHMENT
(NON-EARNINGS)**

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor

Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Garnishee

Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

El tribunal ha expedido una orden que obliga a la persona o entidad contra la cual se decretó un embargo que le entregue el dinero o bien que le debe a usted al acreedor por adeudo debido a la sentencia que este último tiene en contra de usted. En algunas circunstancias, la ley no permite quitarle a usted su dinero o sus bienes, lo cual se explica en la notificación. Se puede conseguir una traducción al español de dicha notificación del tribunal.

NOTICE TO JUDGMENT DEBTOR OR DEFENDANT

You are hereby notified that this Court has issued an order in the above case in favor of the judgment creditor in this proceeding, directing that some of your money, property or corporate shares or interest be used to satisfy some of your debt to the judgment creditor. The order was issued to enforce the judgment creditor's judgment, support order or provisional remedy order against you that was obtained:

(9) Name of Court: _____

(10) Date of Judgment or Order) _____

A copy of the judgment or order is attached.

The law provides that monies from certain benefits or in certain amounts are free from the claims of creditors even if deposited in a bank, savings and loan association or credit union. Some examples of exempt monies appear later in this notice. The law also provides that certain personal property is exempt from the claims of creditors. Some examples of exempt property appear later in this notice.

The creditor named above says you haven't paid what you owe on the attached judgment or order. At the creditor's request, this Court issued a Writ of Garnishment (attached) to the garnishee named above. The writ says that some of your money or property now held by the garnishee will be withheld and may be turned over to the creditor to satisfy your debt.

Within ten days after being served with the Writ of Garnishment the garnishee who is holding your money or personal property is required to mail or deliver to you his answer stating what money or personal property he is withholding from you for the judgment creditor pursuant to the Writ.

You may object to the garnishment or file a claim of exemption by requesting a hearing with this Court, if you believe any of the following is true:

1. The judgment creditor does not have a valid provisional remedy order or support order or judgment against you or that the debt or judgment has been paid in full.
2. Some or all of the monies that are being withheld by the garnishee may be exempt monies. The following are examples that *may* be exempt monies:
 - (a) Three hundred dollars in a bank, savings and loan association or credit union account. (Six hundred dollars for married account holders.)
 - (b) Temporary assistance for needy families.
 - (c) Supplemental security income (SSI).
 - (d) Social security benefits (SSA).
 - (e) United States department of veterans affairs benefits. (VA).
 - (f) Certain pension benefits and retirement funds.
 - (g) Workers' compensation benefits.
 - (h) Some insurance proceeds.

Other state and federal exemptions may apply. Certain exemptions may not apply to support orders or to the collection of taxes. An attorney can assist you in determining what monies are exempt.

Some or all of the personal property being withheld by the garnishee may be exempt property. Examples of exempt personal property are:

- (a) Household goods, furniture, and appliances.
- (b) Up to \$6,000 equity value for each owner of a car or truck. (\$12,000 equity value if the owner is physically disabled).
- (c) Wearing apparel, musical instruments, televisions or stereos and other personal items.
- (d) Tools and equipment used in a commercial activity, trade, business, or profession.

These exemptions are limited in statute by description and dollar value. An attorney can assist you in determining what personal property is exempt. A comprehensive listing of exemptions is available from the website for the U.S. Bankruptcy Court for the District of Arizona:

http://www.azb.uscourts.gov/Documents/arizona_exemptions.pdf

- 3. More than fifteen days have passed since the garnishee was served with the Writ and you have not yet received the Garnishee's Answer.
- 4. You otherwise disagree with the Answer of the garnishee. To request a hearing, deliver the request for hearing form enclosed, or a substantially similar form to the Court Clerk's office. At the same time, you must mail or deliver a copy (photocopy or handwritten copy) of the request for hearing to the judgment creditor and the garnishee at the address stated in the Writ. If you do not deliver the request for hearing form to this Court within ten days after the date you receive the Answer of garnishee, your request for hearing will be denied, unless a good reason for the delay, acceptable to the Court, is shown.

If you request a hearing it will be held no later than five days, not including weekends and holidays, after your request is received by the Court. If appropriate, you may request a hearing before the garnishee files his Answer.

The Court will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney.

WARNING: If you want a hearing, the Court must receive the hearing request form within ten (10) days after you get Garnishee's Answer. If you don't get the request in on time, you won't get a hearing unless there is a very good reason why you're late.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

**REQUEST FOR HEARING
ON GARNISHMENT
(NON-EARNINGS)**

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

El tribunal ha expedido una orden que obliga a la persona o entidad contra la cual se decretó un embargo que le entregue el dinero o bien que le debe a usted al acreedor por adeudo debido a la sentencia que este último tiene en contra de usted. En algunas circunstancias, la ley no permite quitarle a usted su dinero o sus bienes, lo cual se explica en la notificación. Se puede conseguir una traducción al español de dicha notificación del tribunal.

ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT HEARING. For example, if you believe that the evidence was insufficient, or if you believe that the

service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

I am the judgment debtor or I represent the judgment debtor in this action. I want a hearing on this garnishment because:

(9) (Check all that apply)

☐ Creditor doesn't have a valid judgment against me because (A) _____

☐ The judgment has been paid.

☐ Exempt money is being garnished:

☐ \$300 (\$600/married) in a bank, savings and loan or credit union.

☐ Temporary assistance for needy families, social security, supplemental security income or United States department of veterans affairs benefits.

☐ Other pension or retirement benefits.

☐ Workers' compensation or other insurance benefits.

☐ (B) Other: _____

☐ Exempt personal property is being garnished:

☐ Household goods, furnishings or appliances.

☐ Motor vehicle equity worth up to \$6,000 (\$12,000, if owner is physically disabled).

☐ Personal items.

☐ Tools and equipment of a trade.

☐ (C) Other: _____

☐ Garnishee's Answer is not correct because (D) _____

☐ No answer was received within 15 days.

☐ (E) Other: _____

(10)

Copy provided to judgment creditor on:

Date: _____

By: ☐ Mail
☐ Hand delivery

(11)

Copy provided to garnishee on:

Date: _____

By: ☐ Mail
☐ Hand delivery

(12)

Copy provided to judicial officer on:

Date: _____

By: ☐ Mail
☐ Hand delivery

The Court can call me at (13) _____ (phone) between 8 a.m. and 5 p.m. regarding the hearing, if necessary.

(14) _____

Date

Judgment Debtor or Authorized Agent

WARNING: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after your receipt of the Garnishee's Answer unless good reason for the delay is shown.

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

**NOTICE OF HEARING
ON GARNISHMENT
(NON-EARNINGS)**

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____
Attorney: _____

A Request for hearing has been filed. This matter is set for a hearing before
_____ (Judicial Officer) at the following
date, time and place:

Date: _____
Time: _____
Place: _____

Case No (7) _____

Bring to the Court hearing any documents or exhibits you want to use as proof in your case.

If any party fails to appear at the hearing after proper notice, the Court may:

- **Take evidence and/or oral testimony from any parties who do appear**
- **Make a decision based on the information provided in the documents filed and at the hearing**
- **Inform the parties who are present of the decision and sign appropriate orders.**

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case in advance of a scheduled Court proceeding.

If you require the services of an interpreter for a foreign language or for the hearing impaired, contact the Court immediately to determine whether accommodations can be made to assist you or to receive further information.

Date

Judicial Officer

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Mailing Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**PETITION FOR ORDER TO SHOW
CAUSE REGARDING GARNISHEE'S
DEFAULT (NON-EARNINGS)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

I am the judgment creditor or authorized agent of the judgment creditor in this action. I want the Court to order the garnishee to appear and show cause why judgment should not be entered against the garnishee in the full amount of the judgment against the judgment debtor and why the garnishee should not pay costs of this Petition and attorney's fees. The Petition is based on the following facts:

1. The Court issued a Writ of Garnishment to garnishee on (9) _____.
2. Garnishee was served on (10) _____, and Garnishee's Answer was due on (11) _____.

Case No. **(8)** _____

3. Garnishee's Answer has not been filed with the Court or received by the judgment creditor.

4. Judgment debtor owes judgment creditor **(12)**\$_____.

(13) _____
Date

Signature of Judgment Creditor or Authorized Agent

(1) ☐ JUSTICE COURT _____, COUNTY OF _____

(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____

(3) ☒ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

**ORDER TO SHOW CAUSE
REGARDING GARNISHEE'S
DEFAULT
(NON-EARNINGS)**

(6) Garnishee
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

This matter is set for a hearing before _____ (Judicial Officer). Garnishee is ordered to appear at the following date, time and place to show cause why judgment should not be entered as shown in the Petition for Order to Show Cause or to file an Answer with the Court. The garnishee must serve a copy of the filed Answer on the judgment creditor no later than 5 business days before the hearing date set by this Order. If an Answer is filed, check with the Court to confirm the hearing date.

Date: _____

Time: _____

Place: _____

Case No. (7) _____

Bring to the Court hearing any documents or exhibits you want to use as proof in your case.

If any party fails to appear at the hearing after proper notice, the Court may:

- **Take evidence and/or oral testimony from any parties who do appear**
- **Make a decision based on the information provided in the documents filed and at the hearing**
- **Inform the parties who are present of the decision and sign appropriate orders.**

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case in advance of a scheduled Court proceeding.

If you require the services of an interpreter for a foreign language or for the hearing impaired, contact the Court immediately to determine whether accommodations can be made to assist you or to receive further information.

Date

Judicial Officer

(1) Person Filing: _____

Mailing Address: _____

City, State, Zip Code: _____

Email Address: _____

Daytime Phone: _____ Alternate Phone: _____

Representing: ☐ Self ☐ Attorney ☐ Other

State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____

(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____

(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

**PETITION FOR ORDER
DISCHARGING GARNISHEE
(NON-EARNINGS)**

(7) Garnishee:
Name: _____

Address: _____

City, State, Zip Code: _____

Email Address: _____

Phone(s): _____

Attorney: _____

I am the judgment creditor or authorized agent of the judgment creditor in this action. I request that the garnishee be discharged.

(9)

Copy provided to judgment debtor on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(10)

Copy provided to garnishee on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(11) _____
Date

Judgment Creditor or Authorized Agent

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**ORDER DISCHARGING
GARNISHEE
(NON-EARNINGS)**

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

Based on the statements appearing in the Petition for Order Discharging Garnishee, it is ordered that garnishee is discharged.

Date

Judicial Officer

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**REQUEST FOR HEARING
(NON-EARNINGS)**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

1. I am the:

(9) (Check one)

☐ Judgment creditor or authorized representative

☐ Judgment debtor or authorized representative

☐ Garnishee or authorized representative

Case No. **(8)** _____

2. My request for hearing is based on the following:

(10) (Check all that apply)

☐ The Writ of Garnishment is incorrect because **(11)** _____
_____.

☐ The Answer is incorrect because **(12)** _____
_____.

☐ Garnishee has not turned over money or property.

☐ **(13)** Other reason(s) why I am requesting a hearing: _____

_____.

(14)

(15)

Copy provided to judgment debtor on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery <input type="checkbox"/> Constable, Deputy Sheriff or Process Server

Copy provided to garnishee on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery <input type="checkbox"/> Constable, Deputy Sheriff or Process Server

(16)

Copy provided to judgment creditor on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery <input type="checkbox"/> Constable, Deputy Sheriff or Process Server

The Court can call me at **(17)** _____ between 8 a.m. and 5 p.m.
regarding the hearing, if necessary. (phone)

(18) _____
Date

Signature

(1) ☐ JUSTICE COURT _____, COUNTY OF _____
(2) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(3) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(4) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(7) Case No.: _____

(5) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

**NOTICE OF HEARING
ON GARNISHMENT
(NON-EARNINGS)**

(6) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

A Request for Hearing has been filed. This matter is set for a hearing before
_____ (Judicial Officer) at the following date, time
and place:

Date: _____

Time: _____

Place: _____

Case No. (7)_____

Bring to the Court hearing any documents or exhibits you want to use as proof in your case.

If any party fails to appear at the hearing after proper notice, the Court may:

- **Take evidence and/or oral testimony from any parties who do appear**
- **Make a decision based on the information provided in the documents filed and at the hearing**
- **Inform the parties who are present of the decision and sign appropriate orders.**

Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case in advance of a scheduled Court proceeding.

If you require the services of an interpreter for a foreign language or for the hearing impaired, contact the Court immediately to determine whether accommodations can be made to assist you or to receive further information.

Date

Judicial Officer

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Email Address: _____
Daytime Phone: _____ Alternate Phone: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff ☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant ☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____

SATISFACTION OF JUDGMENT

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Email Address: _____
Phone(s): _____
Attorney: _____

I am the judgment creditor or authorized agent of the judgment creditor in this action. The Judgment entered in this action has been satisfied.

(9) _____
Date Judgment Creditor or Authorized Agent

(10)

Copy provided to judgment debtor on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery
--

(11)

Copy provided to garnishee on: Date: _____ By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery
